

**2855. Adulteration and alleged misbranding of syrup. U. S. v. Western Reserve Syrup Co. Plea of guilty to count 1 of information. Fine, \$10 and costs. Count 2 of information nolle prossed.** (F. & D. No. 3964. I. S. No. 12904-d.)

On December 31, 1912, the United States Attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information in two counts against the Western Reserve Syrup Co., Cleveland, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 18, 1911, from the State of Ohio into the State of Michigan, of a quantity of syrup which was adulterated and alleged to have been misbranded. The product was labeled: "Western Reserve Ohio Blended Syrup. Guaranteed absolutely pure. Purity our motto. Serial No. 4159. Western Reserve Syrup Co., Cleveland, Ohio."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results:

Total solids (per cent).....	69.13
Total ash (per cent).....	.45
Insoluble ash (per cent).....	.08
Soluble ash (per cent).....	.37
Alkalinity of soluble ash (5 grams of sample) (cc N/10 acid) .....	2.00
Alkalinity of insoluble ash (5 grams of sample) (cc N/10 acid) .....	1.10
Alkalinity of 1 gram soluble ash (cc N/10 acid).....	103.7
Alkalinity of 1 gram insoluble ash (cc N/10 acid).....	350.0
Lead number.....	.60

The fact that nearly all the ash is soluble shows clearly that this is not a maple syrup and that the quantity of maple syrup, if any, is so small as not to give any character. The syrup has the taste of brown sugar, and would appear to be a cane sugar syrup flavored with refiners' syrup. Adulteration of the product was alleged in the first count of the information for the reason that a mixture of cane sugar syrup and refiners' syrup had been substituted wholly or in part for the article. Misbranding was alleged in the second count of the information for the following reasons: (1) In that the following statement, "Western Reserve Ohio Blended Syrup," borne on the label, was false and misleading because it misled and deceived the purchaser into believing that the product was maple syrup, whereas, in truth and in fact, it was a mixture of cane sugar syrup and refiners' syrup; (2) in that it was labeled and branded so as to deceive and mislead the purchaser, being labeled "Western Reserve Ohio Blended Syrup," thereby purporting that it was maple syrup, whereas in fact it was a mixture of cane sugar syrup and refiners' syrup; (3) in that the following statement, "Blended Syrup," borne on the label, was false and misleading because it created the impression that the product was a blend or a mixture of like substances, whereas, in truth and in fact, it was not a blend or mixture of like substances.

On October 23, 1913, the defendant company entered a plea of guilty to the first count of the information and the court imposed a fine of \$10 and costs. The second count of the information, charging misbranding, was nolle prossed.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., February 10, 1914.

**2856. Adulteration of hay. U. S. v. One Hundred Bales of Hay. Default decree of condemnation. Product ordered sold.** (F. & D. No. 3967. S. No. 1382.)

On or about May 14, 1912, the United States Attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 bales of hay remaining unsold in the original unbroken packages at Arringdale, Va., alleging that the product had been shipped during the spring of 1911 by the

Escanaba Produce Co., Escanaba, Mich., to the Camp Manufacturing Co., at Arringdale, Va., and transported from the State of Michigan into the State of Virginia, and charging adulteration in violation of the Food and Drugs Act. The product was invoiced as "Light Alsike Mixed Hay."

Adulteration of the product was alleged in the libel for the reason that it consisted in part of filthy, decomposed, and putrid vegetable substance; that it contained a considerable quantity of weeds and trash; that it was dusty, moldy, and rotten, and not fit for consumption by live stock for which it was purchased.

On May 20, 1913, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product should be sold by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 10, 1914.*

**2857. Misbranding of condensed milk. U. S. v. Fred C. Mansfield Co. Plea of guilty. Fine, \$25.** (F. & D. No. 3989. I. S. No. 17403-d.)

On February 6, 1913, the United States Attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Fred C. Mansfield Co., a corporation, Johnson Creek, Wis., alleging shipment by said company, in violation of the Food and Drugs Act, on November 13, 1911, from the State of Wisconsin into the State of Illinois, of a quantity of condensed milk which was misbranded. The product was labeled: (On shipping tags) "From Fred C. Mansfield Company, Manufacturers of Mansfield's Fine Creamery Butter, Johnson Creek, Wisconsin. A. C. Abraham, Moline, Illinois." (On barrels) "F. C. Mansfield Company, Manufacturers of Condensed Milk, Johnson Creek, Wisconsin."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results:

Water (per cent).....	26.09
Fat (by Roese-Gottlieb) (per cent).....	4.78
Protein ( $N \times 6.38$ ) (per cent).....	10.46
Lactose (by Munson & Walker) (per cent).....	15.54
Sucrose, by difference (per cent).....	40.79
Ash (per cent).....	2.34
Total solids (by drying) (per cent).....	73.91
Milk solids (per cent).....	33.12
Ratio of proteins to fat.....	1:0.46

Misbranding of the product was alleged in the information for the reason that it was labeled as set forth above, when, as a matter of fact, the barrels did not contain condensed milk as understood by the trade and public and the contents of the barrels did not contain such percentage of total solids and of fat as is required by law, but in fact the contents of the barrels were a partly skimmed and sweetened condensed milk made from partly skimmed milk.

On June 28, 1913, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$25.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 10, 1914.*

**2858. Adulteration and misbranding of cheese. U. S. v. 146 Boxes of Cheese. Consent judgment of condemnation and forfeiture. Released on bond.** (F. & D. No. 4004. S. No. 1389.)

On May 18, 1912, the United States Attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 146 boxes of cheese remaining unsold in the original unbroken packages and in possession of Swift